

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

IN RE LONDON SILVER FIXING, LTD.
ANTITRUST LITIGATION

Case Nos. 14-MD-2573 (VEC)
14-MC-2573 (VEC)

This Document Relates to All Actions

[PROPOSED] THIRD AMENDED FACT DISCOVERY SCHEDULE

This Proposed Third Amended Fact Discovery Schedule is submitted jointly by Plaintiffs and Defendants The Bank of Nova Scotia and HSBC Bank plc (collectively, “Defendants”) in the above-captioned litigation.

WHEREAS, the Court previously entered the Parties’ Stipulated Deposition Protocol on April 1, 2019 (ECF No. 408) (the “Deposition Protocol”);

WHEREAS, the parties have been conducting discovery pursuant to the fact discovery schedule entered on February 19, 2020 (ECF No. 440) (the second “Amended Fact Discovery Schedule”);

WHEREAS, as a result of the coronavirus pandemic, the Court granted the parties’ previous requests on April 15, 2020 (ECF No. 443), May 5, 2020 (ECF No. 445), June 12, 2020 (ECF No. 447), and July 23, 2020 (ECF No. 457) for interim extensions of below paragraphs 6 and 7 and on July 23, 2020 for an interim extension of below paragraph 8 (ECF No. 457);

WHEREAS, the Parties agree that the following amended discovery schedule would facilitate the efficient sequencing of important deadlines;

The Second Amended Schedule is hereby superseded by the following:

1. *Requests for production of audio files:* Plaintiffs shall substantially complete any requests for audio files by 75 days prior to the end of fact discovery and subject to Paragraph 19 of the Deposition Protocol. Plaintiffs’ requests shall be made by email and shall include sufficient

detail to enable Defendants to locate the requested audio files, such as the date of the call, the approximate time of the call, if reasonably ascertainable, and the names of call participants or custodians. The parties agree to meet and confer regarding any such requests as needed.

2. *Fact depositions:* Fact depositions may commence on **Monday, October 1, 2020.**
3. *Completion of fact discovery:* All fact discovery shall be completed by

Wednesday, May 26, 2021.

4. The parties shall appear for a pretrial conference on **Wednesday, June 9, 2021, at 11:00 A.M.** No later than seven (7) days in advance of that conference, the Parties shall submit a joint letter of no more than five pages concerning the timing of expert discovery and the briefing of motions on class certification and for summary judgment. The December 18, 2020 pre-trial conference and the joint letter related thereto (*See* 2/19/20 Amended Fact Discovery Schedule, ECF No. 440, at ¶ 8) are vacated.

5. *Privilege logs:* The Parties have met and conferred regarding the proper form of Defendants' Privilege Logs. Defendants shall produce Privilege Logs on a rolling basis, to be completed by September 30, 2020.

6. The parties are directed to continue submitting monthly status reports as to the progress of the discovery on the first business day of every month.

The parties must submit their monthly reports on the first business day of every month. Adjournments monthly status reports require leave of Court.

SO ORDERED.

DATED: September 17, 2020
New York, New York



HON. VALERIE CAPRONI
United States District Judge